

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

CINDY GASS, R.N.
License # NO 08423100

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about July 10, 2014 and August 19, 2014, a letter of inquiry was sent to respondent on behalf of the Board, asking about respondent's nursing practice, including allegations about failure to accurately record her time while employed by Maxim Healthcare Services, and requesting documentation, in the form of certificates of completion, of nursing continuing education completed for the June 1, 2012-May 31, 2014 licensing cycle.
3. The inquiries were sent by certified and regular mail to respondent's address of record. The certified mailing of the July 10, 2014 letter was returned,

unclaimed. The certified mailing of the August 19, 2014 letter was delivered. The regular mailings were not returned. No response has been received to date.

4. On her 2014 renewal application, respondent indicated that she would have timely completed continuing education requirements for the 2012-2014 renewal period by May 31, 2014.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's inquiry constitutes a violation of N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

2. Respondent's failure to document completion of required nursing continuing education for the 2012-2014 licensing cycle constitutes a violation of N.J.A.C. 13:37-5.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

3. Respondent's indication on her 2014 renewal application that she would have completed required continuing education for the 2012-2014 licensing cycle by May 31, 2012 constitutes misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on December 30, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$750 in civil penalties. A copy of the Order was served upon the respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for

modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

The record reflects that the certified mailing of the Provisional Order was returned, marked "unclaimed." The regular mailing of the order was not returned. No response has been received to date. The Board considered this matter, and determined that service had been effected, as the mailings had been sent to respondent's address of record with the Board. The Board further determined that as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 6th day of April, 2015,

ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until she has fully responded to the Board's request for information, and until she has demonstrated completion of thirty (30) contact hours of continuing education in satisfaction of the 2012-2014 renewal requirements.

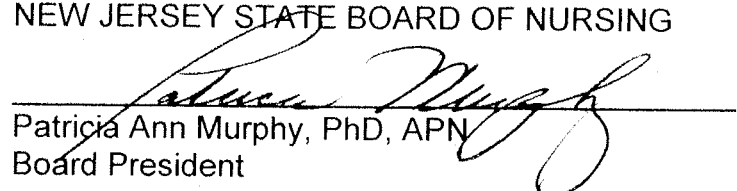
2. A public reprimand is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(b).

3. A civil penalty in the amount of \$500.00 is hereby imposed for the violation of N.J.A.C. 13:45C-1.2, -1.3, as well as a civil penalty in the amount of \$250.00 for failure to timely complete required continuing education in violation of N.J.A.C. 13:37-5.3, for a total penalty amount of \$750.00. Payment shall be in the form of a

certified check or money order, made payable to the State of New Jersey, and forwarded to the attention of George Hebert, R.N., Executive Director, Board of Nursing, P.O. Box 45010, 124 Halsey Street, Newark, NJ 07101, and shall be forwarded within twenty-one (21) days of the filing this order.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Ann Murphy, PhD, APN
Board President